

08-25-04

PTO/SB/21 (04-04)

1648

JFW

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/061,944
Filing Date	February 1, 2002
First Named Inventor	Schall, Thomas J.
Art Unit	1648
Examiner Name	Le, Emily M.
Attorney Docket Number	019934-003210US

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input checked="" type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s)
<input checked="" type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Response to Missing Parts/Incomplete Application
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Return Postcard
Copy of Merck & Sigman references
Copy of US Patent Nos: 4,711,715, 4,894,164 and 4,683,053 |
|--|---|--|

Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
---------	--

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Townsend and Townsend and Crew LLP
Signature	Scott L. Aussenhus <i>Scott Aussenhus</i>
Date	August 23, 2004

CERTIFICATE OF TRANSMISSION/MAILINGExpress Mail Label: EV 291377055 US

I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date August 23, 2004 and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Tara N. Damhoff
Signature	<i>Tara N. Damhoff</i>
Date	August 23, 2004



"Express Mail" Label No. EV 291377055 US
Date of Deposit August 23, 2004

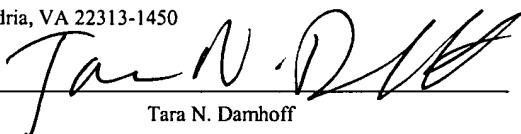
PATENT
Attorney Docket No.: 019934-003210US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: _____


Tara N. Damhoff

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas J. Schall et al.

Application No.: 10/061,944

Filed: February 1, 2002

For: METHODS FOR ASSESSING
CYTOMEGALOVIRUS
MUTATIONS (AMENDED)

Customer No.: 20350

Confirmation No.: 8775

Examiner: Le, Emily M.

Art Unit: 1648

AMENDMENT

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action mailed February 23, 2004, which set May 23, 2004 as the original deadline for filing a response. A three month petition for extension of time is enclosed, thus extending the deadline to August 23, 2004. Accordingly, this response is timely filed.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks/Arguments begin on page 10 of this paper.